

City Council
Atlanta, Georgia

AN ORDINANCE
BY: COUNCIL MEMBER KWANZA HALL

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AN ORDINANCE TO AMEND SECTION 16-18P.028(3)(b)(i); to add to existing Midtown Transit Station Area "M;" (as depicted on the Map as Exhibit A attached and incorporated by reference); the 7.8 acre tract bordered by Spring Street to the east, a development adjacent to 5th Street to the south, Williams Street to the east and Peachtree Place NW to the north, (as more particularly described in Exhibit B, also attached and incorporated by reference), ("Subject Property")

WHEREAS, the Subject Property is located in subarea 1, the Midtown Commercial district of SPI-16; and

WHEREAS, the Subject Property was formerly the site of a Coca-Cola Bottling Plant which has long ceased operating; and

WHEREAS, the Subject Property ranges from 748 to 1121 feet by way of sidewalk from the 10th Street MARTA station and is capable of easy pedestrian access to and from that station; and

WHEREAS, the area immediately surrounding the Subject Property has undergone dramatic renovation and reconstruction for an intense mix of residential, office and commercial uses; and

WHEREAS, it is an express goal of the City to encourage intense redevelopment for a mixture of uses in this precise portion of the Midtown SPI District as per Code Section 16-18 P.002; and

WHEREAS, as part of a larger 12.09% acre tract, development of the Subject Property for up to 1,225,000 square feet of office space, 955 apartments and 65,000 square feet of retail space already has been found to be in the best interests of the State of Georgia by the Atlanta Regional Commission; and

WHEREAS, allowing development of the Subject Property as a transit enabled area with the densities allowed by the Transit Area Station bonuses as per Section 16.18P.028(3)(b)(i) is in the best interests of Midtown and the City as a whole;

NOW THEREFORE, the City Council of the City of Atlanta, Ordains as Follows:

Section 1: That Section 16-18P.028(3)(b)(i) and the maps referenced therein be amended so as to include the Subject Property as a Transit Station Area entitled to the Transit Area Station bonus; and

Section 2: That all ordinances or parts of ordinances in conflict with this ordinance shall be repealed.

EXHIBIT B

2.997 Acres – North of Eighth Street

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 107 of the 17th District of Fulton County, Georgia and being more particularly described as follows

BEGINNING at a nail found at the intersection of the west line of the right-of-way of Spring Street (a 60 foot right-of-way) and the south line of the right-of-way of Peachtree Place, N. W. (a 60 foot right-of-way) and running thence south 08 degrees 21 minutes 12 seconds east along the west line of the right-of-way of Spring Street a distance of 312.48 feet to a 1/2 inch iron pin placed on the north line of the right-of-way of Eighth Street, N.W. (a 60 foot right-of-way); running thence north 89 degrees 38 minutes 10 seconds west along the north line of the right-of-way of Eighth Street, N.W. a distance of 454.27 feet to a point; running thence northwesterly along the arc of a curve to the right of the northeast line of the right-of-way of Eighth Street, N.W., which arc has a chord as measured north 52 degrees 01 minutes 38 seconds west of 11.39 feet, a distance of 11.50 feet to a 1/2 inch iron pin placed on the east line of the right-of-way of Williams Street; running thence north 00 degrees 16 minutes 00 seconds east along the east line of the right-of-way of Williams Street a distance of 276.58 feet to a 1/2 inch iron pin placed at the intersection of the south line of the right-of-way of Peachtree Place, N.W. (a 60 foot right-of-way) and the east line of Williams Street (a variable width right-of-way) and running thence north 86 degrees 52 minutes 53 seconds east along the south line of the right-of-way of Peachtree Place, N.W. a distance of 417.17 feet to the point of beginning being one tract of land designated Tracts IV and V and containing approximately 2.997 acres in the aggregate and as shown on that certain plat of survey for Centergy North, LLC, Midtown Park, LLC, ACCBC Holding Company, Brookdale Investors Five, L.P., Centergy Two Associates and Fidelity National Title Insurance Company prepared by Metro Engineering and Surveying Co., Inc. certified by Alexander Zeiger, Georgia Registered Land Surveyor No. 2530, dated May 11, 2005, last revised August 23, 2005.

4.779 Acres - South of Eighth Street

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 80 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a 1/2 inch iron pin placed at the intersection of the west line of the right-of-way of Spring Street (a 60 foot right-of-way) and the south line of the right-of-way of Eighth Street, N.W. (a 60 foot right-of-way) and running thence southerly along the arc of a curve to the right of the west line of the right-of-way of Spring Street, which arc has a chord as measured south 03 degrees 08 minutes 13 seconds east of 264.30 feet, a distance of 264.49 feet to a point; running thence south 00 degrees 40 minutes 13 seconds west along the west line of the right-of-way of Spring Street a distance of 208.78 feet to an etched scribe; running thence south 00 degrees 40 minutes 45 seconds west along the west line of the right-of-way of Spring Street a distance of 60.02 feet to a point; running thence south 00 degrees 40 minutes 17 seconds west along the west line of the right-of-way of Spring Street a distance of 58.72 feet to a point on the north line of a 25-foot wide private street; running thence north 89 degrees 21 minutes 13 seconds west along the north line of the right-of-way of said 25-foot wide private street a distance of 260.78 feet to a point; running thence north 00 degrees 38 minutes 47 seconds east a distance of 328.67 feet to a point; running thence north 89

degrees 21 minutes 13 seconds west a distance of 228.49 feet to a point on the east line of the right-of-way of Williams Street; running thence north 00 degrees 22 minutes 34 seconds east along the east line of the right-of way of Williams Street a distance of 251.87 feet to a ½ inch iron pin; placed at the intersection of the south line of the right-of-way of Eighth Street, N.W. (a 60 foot right of way) and the east line of the right-of-way of Williams Street (a variable width right-of-way); running thence northeasterly along the arc of a curve to the right of the northwest line of the right-of-way of Eighth Street, which arc has a chord as measured north 51 degrees 26 minutes 00 east of 13.32 feet a distance of 13.51 feet to a point; running thence south 89 degrees 38 minutes 10 seconds east a distance of 194.36 feet to a point; running thence south 89 degrees 38 minutes 10 seconds east a distance of 268.49 feet to the point of beginning being one tract of land designated Tracts IIA, IIIA, IIIB and N/F Tuff Yamacraw LLC and containing approximately 4.779 acres in the aggregate and as generally depicted on that certain plat of survey for Centergy North, LLC, Midtown Park, LLC, ACCBC Holding Company, Brookdale Investors Five, L.P., Centergy Two Associates, and Fidelity National Title Insurance Company prepared by Metro Engineering and Surveying Co., Inc. certified by Alexander Zeiger, Georgia Registered Land Surveyor No. 2530, dated May 11, 2005, last revised August 23, 2005,

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